PTO/SB/08a (05-07)
Approved for use through 09/30/2007 OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE to a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are requ

	Filing D
	First Na
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit
	Examin

	Application Number		10531754
	Filing Date		2005-04-18
	First Named Inventor	Klimk	o, et al.
	Art Unit		1625
	Examiner Name	NYA	
	Attorney Docket Number		2439 US F

					U.S.	PATENTS			Remove	
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue [	Date	Name of Patentee or Applicant of cited Document		Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear		
	1	7154002		2006-12	-26	Bressi, et al.				
If you wisl	h to a	d additional U.S. Pate	nt citatio	n inform	ation pl	lease click the	Add button.		Add	
			U.S.P	ATENT	APPLI	CATION PUBL	LICATIONS		Remove	
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publica Date	tion	Name of Patentee or Applicant		Releva	Columns,Lines when ant Passages or Rele s Appear	
	1									
If you wisl	h to a	dd additional U.S. Publi				,		d button		
				FOREIG	GN PAT	ENT DOCUM	ENTS		Remove	
Examiner Initial*			Publication Date	Name of Patente Applicant of cited Document	or	Pages,Columns,Line where Relevant Passages or Relevan Figures Appear	Ts			
	1	WO00/008048 A3	wo			2000-02-17	Fujisawa Pharmaci	nutical		
If you wis	h to a	d additional Foreign P	atent Do	cument	citation	information pl	lease click the Add	button	Add	
			NON	I-PATE	NT LITE	RATURE DO	CUMENTS		Remove	
Examinor Initials* Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.						Т				

#### 

_	
1	п
	_
1	

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature Date Considered

\*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

See Kind Codes of USPTO Patent Documents at year-USPTO,QQV or MPEP 901.94. <sup>2</sup> Either office that issued the document, by the hor-left code (WIPO Standard ST.3.) <sup>2</sup> Evolution protection for the part of the Emperor must protected the sears inumber of the Patend Teach and protection for the sear of the Emperor must protected the sears inumber of the Patend Teach (Fig. 1) and the Code (Fig. 1) and the Patend Teach (Fig. 1) and the Code (F

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT ( Not for submission under 37 CFR 1.99)

Application Number		10531754	
Filing Date		2005-04-18	
First Named Inventor	Klimko, et al.		
Art Unit		1625	
Examiner Name NYA			
Attorney Docket Number		2439 US F	

#### CERTIFICATION STATEMENT

Please see 3'	7 CFR	1.97 and	1.98 to make the appropriate selection(s):	
---------------	-------	----------	--	--

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(eV1).

## OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office is a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquity, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1/56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1/97(c).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- \_\_ □ None

### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

of the agriculture.								
Signature	/Jason J. Derry, #50,692/	Date (YYYY-MM-DD)	2007-07-20					
Name/Print	Jason J. Derry	Registration Number	50 692					

This collection of information is required by 3T CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is for life railed by the USPTO to process) an application. Confidentiality is governed by \$5 U.S. C. 12.0 and 3T CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application from the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete his form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradenary Cfiling. U.S. Operatment of Commence, P. 0. Box 1450, Alexandrin, V.S. 2313-1450. D. ONT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandrin, V.S. 2313-1450.

# Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the stacked form related to a petient application or patient. Accordingly, pursuant to the requirements of the Act, please be advised that (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) familishing of the information solicided is civulating; and (3) the principal purpuse for which the information is used by the U.S. Patient and Trademan Coffice is to process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and/or cosmisting your submission related to a patient agricultant or patient. If you do not furnish the requested process and the process of the process and the process of the pro

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these cords.
  - A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
  - A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record perfains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
  - A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552(m).
  - A record related to an International Application filed under the Patent Cooperation Treaty in this system of records
    may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
    to the Patent Cooperation Treaty.
  - A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
  - 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or hisher designed, uturing an insection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 4d U.S.C. 2904 and 2905. Such disclosure shall be made in accordance with the GSA requisions governing inseption of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- A record from this system of records may be disclosed, as a routine use, to the public after either publication of the
  application pursuant to 35 U.S.C. 12(2) to rissuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be
  disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filled in application
  which became abandoned or in which the proceedings were terminated and which application is referenced by either a
  published application, an application open to public inspections or as issued patent.
  - A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.